

Article - Public Safety

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§13–707.

(a) A member of the organized militia ordered into State active duty by proper authority is not liable civilly or criminally for any act done while discharging a duty.

(b) (1) The court shall require a person to file security for the payment of costs that may be awarded to the defendant when the person prosecutes or begins a suit or proceeding:

(i) against an officer of the organized militia for an act done by the officer in the officer's official capacity in the discharge of a duty under this title;

(ii) against a person acting under the authority or order of an officer of the organized militia; or

(iii) by virtue of a warrant that an officer of the militia lawfully issues.

(2) In all cases, the defendant may make a general denial and give evidence.

(3) If the case is dismissed or a verdict or judgment is rendered against the plaintiff, the defendant shall recover treble costs.

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